

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KEVIN LINDKE,

Plaintiff,

Case No. 19-cv-11905

Hon. Matthew F. Leitman

v.

HON. CYNTHIA A. LANE, *et al.*,

Defendants.

/

**ORDER (1) ADJOURNING SCHEDULED STATUS CONFERENCE (ECF
No. 89) AND (2) SETTING SCHEDULE FOR FILING OF, AND FILING OF
RESPONSE TO, THIRD AMENDED COMPLAINT**

On March 22, 2022, the Court held an on-the-record status conference with counsel for all parties. During that conference, counsel for Plaintiff Kevin Lindke told the Court that in light of developments that have occurred since the filing of Lindke's Second Amended Complaint, Lindke wished to file a Third Amended Complaint. The Court granted Lindke that relief. Accordingly, on March 22, 2022, the Court issued an order granting Lindke leave to file a Third Amended Complaint. (*See* Order, ECF No. 88.) However, the Court provided that Lindke did not need to file that pleading "until further order of the Court after the United States Court of Appeals for the Sixth Circuit issues its opinion in *Lindke v. [Tomlinson]*, Sixth Cir. Case No. 21-2612." (*Id.*, PageID.3137.) The Court then told the parties that it would schedule another status conference to discuss a schedule for the filing of Lindke's

Third Amended Complaint. (*See id.*, PageID.3139.) That status conference was scheduled for May 27, 2022. (*See* Notice, ECF No. 89.)

On April 12, 2022, the Sixth Circuit's issued a published decision resolving the appeal in *Lindke v. Tomlinson*. *See Lindke*, Sixth Cir. Case No. 21-2612, Dkt. No. 41. In light of that decision, Lindke may now file his Third Amended Complaint in this action. The Court therefore **ADJOURNS** the previously-scheduled May 27 status conference and sets the following schedule for the filing of Lindke's Third Amended Complaint:

- Lindke shall file his Third Amended Complaint by no later than **May 11, 2022**;
- Defendant Mat King shall answer or otherwise respond to the Third Amended Complaint by no later than **June 8, 2022**.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: April 13, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 13, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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